

1 A bill to be entitled
 2 An act relating to the Office of Drug Control; amending s.
 3 14.2019, F.S.; placing the Statewide Office for Suicide
 4 Prevention within the Department of Children and Family
 5 Services; redirecting revenues from grants to the Grants
 6 and Donations Trust Fund within the department; amending
 7 s. 14.20195, F.S.; naming the director of the Statewide
 8 Office for Suicide Prevention as chair and a nonvoting
 9 member of the Suicide Prevention Coordinating Council;
 10 providing for the appointment of members of the council by
 11 the director of the Statewide Office for Suicide
 12 Prevention; amending s. 311.115, F.S.; conforming
 13 provisions to changes made by the act; placing the Seaport
 14 Security Standards Advisory Council within the Executive
 15 Office of the Governor; providing for the appointment of
 16 the chair of the Seaport Security Standards Advisory
 17 Council by the Governor; amending ss. 311.12, 311.123, and
 18 397.331, F.S.; conforming provisions to changes made by
 19 the act; repealing s. 397.332, F.S., relating to creation
 20 of the Office of Drug Control; amending s. 397.333, F.S.;
 21 placing the Statewide Drug Policy Advisory Council within
 22 the Department of Health; revising the membership of the
 23 council; directing the Department of Health to provide
 24 staff support for the advisory council; amending s.
 25 943.031, F.S.; naming the Policy Coordinator of the Public
 26 Safety Unit of the Governor's Office of Planning and
 27 Budgeting, or a designee, as a member of the Florida
 28 Violent Crime and Drug Control Council and the Drug

29 Control Strategy and Criminal Gang Committee within the
 30 council; conforming provisions to changes made by the act;
 31 amending s. 943.042, F.S.; conforming provisions to
 32 changes made by the act; providing an effective date.

33

34 Be It Enacted by the Legislature of the State of Florida:

35

36 Section 1. Subsections (1), (3), (4), and (5) of section
 37 14.2019, Florida Statutes, are amended to read:

38 14.2019 Statewide Office for Suicide Prevention.—

39 (1) The Statewide Office for Suicide Prevention is created
 40 ~~as a unit of the Office of Drug Control~~ within the Department of
 41 Children and Family Services ~~Executive Office of the Governor.~~

42 ~~(3) Contingent upon a specific appropriation, the director~~
 43 ~~of the Office of Drug Control shall employ a coordinator for the~~
 44 ~~Statewide Office for Suicide Prevention who shall work under the~~
 45 ~~direction of the director to achieve the goals and objectives~~
 46 ~~set forth in this section.~~

47 (3)(4) The Statewide Office for Suicide Prevention may
 48 seek and accept grants or funds from any federal, state, or
 49 local source to support the operation and defray the authorized
 50 expenses of the office and the Suicide Prevention Coordinating
 51 Council. Revenues from grants shall be deposited in the Grants
 52 and Donations Trust Fund within the Department of Children and
 53 Family Services ~~Executive Office of the Governor.~~ In accordance
 54 with s. 216.181(11), the Executive Office of the Governor may
 55 request changes to the approved operating budget to allow the
 56 expenditure of any additional grant funds collected pursuant to

57 | this subsection.

58 | (4)~~(5)~~ Agencies under the control of the Governor or the
 59 | Governor and Cabinet are directed, and all others are
 60 | encouraged, to provide information and support to the Statewide
 61 | Office for Suicide Prevention as requested.

62 | Section 2. Paragraphs (a), (d), and (e) of subsection (2)
 63 | of section 14.20195, Florida Statutes, are amended to read:

64 | 14.20195 Suicide Prevention Coordinating Council;
 65 | creation; membership; duties.—There is created within the
 66 | Statewide Office for Suicide Prevention a Suicide Prevention
 67 | Coordinating Council. The council shall develop strategies for
 68 | preventing suicide.

69 | (2) MEMBERSHIP.—The Suicide Prevention Coordinating
 70 | Council shall consist of 28 voting members.

71 | (a) Thirteen members shall be appointed by the director of
 72 | the Statewide Office for Suicide Prevention ~~Office of Drug~~
 73 | ~~Control~~ and shall represent the following organizations:

- 74 | 1. The Florida Association of School Psychologists.
- 75 | 2. The Florida Sheriffs Association.
- 76 | 3. The Suicide Prevention Action Network USA.
- 77 | 4. The Florida Initiative of Suicide Prevention.
- 78 | 5. The Florida Suicide Prevention Coalition.
- 79 | 6. The American Foundation of Suicide Prevention.
- 80 | 7. The Florida School Board Association.
- 81 | 8. The National Council for Suicide Prevention.
- 82 | 9. The state chapter of AARP.
- 83 | 10. The Florida Alcohol and Drug Abuse Association.
- 84 | 11. The Florida Council for Community Mental Health.

85 12. The Florida Counseling Association.

86 13. NAMI Florida.

87 (d) ~~For the~~ Members appointed by the director of the
 88 Statewide Office for Suicide Prevention ~~Office of Drug Control,~~
 89 ~~seven members shall be appointed to initial terms of 3 years,~~
 90 ~~and seven members shall be appointed to initial terms of 4~~
 91 ~~years. For the members appointed by the Governor, two members~~
 92 ~~shall be appointed to initial terms of 4 years, and two members~~
 93 ~~shall be appointed to initial terms of 3 years. Thereafter, such~~
 94 ~~members~~ shall be appointed to terms of 4 years. Any vacancy on
 95 the coordinating council shall be filled in the same manner as
 96 the original appointment, and any member who is appointed to
 97 fill a vacancy occurring because of death, resignation, or
 98 ineligibility for membership shall serve only for the unexpired
 99 term of the member's predecessor. A member is eligible for
 100 reappointment.

101 (e) The director of the Statewide Office for Suicide
 102 Prevention ~~Office of Drug Control~~ shall be a nonvoting member of
 103 the coordinating council and shall act as chair.

104 Section 3. Section 311.115, Florida Statutes, is amended
 105 to read:

106 311.115 Seaport Security Standards Advisory Council.—The
 107 Seaport Security Standards Advisory Council is created within
 108 ~~under~~ the Executive Office of the Governor ~~Office of Drug~~
 109 ~~Control~~. The council shall serve as an advisory council as
 110 provided in s. 20.03(7).

111 (1) The members of the council shall be appointed by the
 112 Governor and consist of the following:

- 113 (a) Two seaport directors.
- 114 (b) Two seaport security directors.
- 115 (c) One representative of seaport tenants.
- 116 (d) One representative of seaport workers.
- 117 (e) One member from the Department of Law Enforcement.
- 118 (f) One member from the Office of Motor Carrier Compliance
119 of the Department of Transportation.
- 120 (g) One member from the Office of the Attorney General.
- 121 (h) One member from the Department of Agriculture and
122 Consumer Services.
- 123 (i) One member from the Office of Tourism, Trade, and
124 Economic Development.
- 125 ~~(j) One member from the Office of Drug Control.~~
- 126 (j)~~(*)~~ One member from the Fish and Wildlife Conservation
127 Commission.
- 128 (k)~~(l)~~ The Director of the Division of Emergency
129 Management, or his or her designee.
- 130 (2) In addition to the members designated in subsection
131 (1), the council may invite a representative of the United
132 States Coast Guard to attend and participate in council meetings
133 as an ex officio, nonvoting member of the council.
- 134 (3) Members of the council shall be appointed to 4-year
135 terms. A vacancy shall be filled by the Governor for the balance
136 of the unexpired term.
- 137 (4) The council chair shall be designated by the Governor
138 from among the appointed members of the council ~~shall be chaired~~
139 ~~by the member from the Office of Drug Control.~~
- 140 (5) At least every 4 years after January 15, 2007, the

141 Governor ~~Office of Drug Control~~ shall convene the council to
 142 review the minimum security standards referenced in s. 311.12(1)
 143 for applicability to and effectiveness in combating current
 144 narcotics and terrorism threats to the state's seaports. All
 145 sources of information allowed by law shall be used in assessing
 146 the applicability and effectiveness of the standards.

147 (6) Council members shall serve without pay, but shall be
 148 entitled to per diem and travel expenses for attendance at
 149 officially called meetings as provided in s. 112.061.

150 (7) The council shall consult with the appropriate area
 151 maritime security committees to assess possible impacts to
 152 commerce and trade contained in the council's nonclassified
 153 recommendations and findings.

154 (8) The recommendations and findings of the council shall
 155 be transmitted to the Governor, the President of the Senate, and
 156 the Speaker of the House of Representatives.

157 Section 4. Paragraph (a) of subsection (1), paragraph (b)
 158 of subsection (3), subsections (8) and (10), and paragraph (d)
 159 of subsection (11) of section 311.12, Florida Statutes, are
 160 amended to read:

161 311.12 Seaport security.—

162 (1) SECURITY STANDARDS.—

163 (a) The statewide minimum standards for seaport security
 164 applicable to seaports listed in s. 311.09 shall be those based
 165 on the Florida Seaport Security Assessment 2000 and set forth in
 166 the Port Security Standards Compliance Plan delivered to the
 167 Speaker of the House of Representatives and the President of the
 168 Senate on December 11, 2000. ~~The Office of Drug Control within~~

169 ~~the Executive Office of the Governor shall maintain a sufficient~~
 170 ~~number of copies of the standards at its offices for~~
 171 ~~distribution to the public and provide copies to each affected~~
 172 ~~seaport upon request.~~

173 (3) SECURITY PLAN.—Each seaport listed in s. 311.09 shall
 174 adopt and maintain a security plan specific to that seaport
 175 which provides for a secure seaport infrastructure that promotes
 176 the safety and security of state residents and visitors and the
 177 flow of legitimate trade and travel.

178 (b) Each adopted or revised security plan must be reviewed
 179 and approved by the ~~Office of Drug Control~~ and the Department of
 180 Law Enforcement for compliance with federal facility security
 181 assessment requirements under 33 C.F.R. s. 105.305 and the
 182 minimum security standards established under subsection (1).
 183 Within 30 days after completion, a copy of the written review
 184 shall be delivered to the United States Coast Guard, the
 185 Regional Domestic Security Task Force, and the Domestic Security
 186 Oversight Council.

187 (8) WAIVER FROM SECURITY REQUIREMENTS.—The ~~Office of Drug~~
 188 ~~Control~~ and the Department of Law Enforcement may modify or
 189 waive any physical facility requirement or other requirement
 190 contained in the minimum security standards upon a determination
 191 that the purposes of the standards have been reasonably met or
 192 exceeded by the seaport requesting the modification or waiver.
 193 An alternate means of compliance must not diminish the safety or
 194 security of the seaport and must be verified through an
 195 extensive risk analysis conducted by the seaport director.

196 (a) Waiver requests shall be submitted in writing, along

197 with supporting documentation, to the ~~Office of Drug Control and~~
 198 ~~the~~ Department of Law Enforcement. The ~~office and the~~ department
 199 has ~~have~~ 90 days to jointly grant or reject the waiver, in whole
 200 or in part.

201 (b) The seaport may submit any waivers that are not
 202 granted or are ~~jointly~~ rejected to the Domestic Security
 203 Oversight Council for review within 90 days. The council shall
 204 recommend that the ~~Office of Drug Control and the~~ Department of
 205 Law Enforcement grant the waiver or reject the waiver, in whole
 206 or in part. The ~~office and the~~ department shall give great
 207 weight to the council's recommendations.

208 (c) A request seeking a waiver from the seaport law
 209 enforcement personnel standards established under s. 311.122(3)
 210 may not be granted for percentages below 10 percent.

211 (d) Any modifications or waivers granted under this
 212 subsection shall be noted in the annual report submitted by the
 213 Department of Law Enforcement pursuant to subsection (10).

214 (10) REPORTS.—The Department of Law Enforcement, ~~in~~
 215 ~~consultation with the Office of Drug Control,~~ shall annually
 216 complete a report indicating the observations and findings of
 217 all reviews, inspections, or other operations relating to the
 218 seaports conducted during the year and any recommendations
 219 resulting from such reviews, inspections, and operations. A copy
 220 of the report shall be provided to the Governor, the President
 221 of the Senate, the Speaker of the House of Representatives, the
 222 governing body of each seaport or seaport authority, and each
 223 seaport director. The report must include each director's
 224 response indicating what actions, if any, have been taken or are

225 | planned to be taken pursuant to the observations, findings, and
 226 | recommendations reported by the department.

227 | (11) FUNDING.—

228 | (d) If funds are appropriated for seaport security, ~~the~~
 229 | ~~Office of Drug Control,~~ the Department of Law Enforcement, and
 230 | the Florida Seaport Transportation and Economic Development
 231 | Council shall mutually determine the allocation of such funds
 232 | for security project needs identified in the approved seaport
 233 | security plans. Any seaport that receives state funds for
 234 | security projects must enter into a joint participation
 235 | agreement with the appropriate state entity and use the seaport
 236 | security plan as the basis for the agreement.

237 | 1. If funds are made available over more than 1 fiscal
 238 | year, the agreement must reflect the entire scope of the project
 239 | approved in the security plan and, as practicable, allow for
 240 | reimbursement for authorized projects over more than 1 year.

241 | 2. The agreement may include specific timeframes for
 242 | completion of a security project and the applicable funding
 243 | reimbursement dates. The agreement may also require a
 244 | contractual penalty of up to \$1,000 per day to be imposed for
 245 | failure to meet project completion dates if state funding is
 246 | available. Any such penalty shall be deposited into the State
 247 | Transportation Trust Fund and used for seaport security
 248 | operations and capital improvements.

249 | Section 5. Subsection (1) of section 311.123, Florida
 250 | Statutes, is amended to read:

251 | 311.123 Maritime domain security awareness training
 252 | program.—

253 (1) The Florida Seaport Transportation and Economic
 254 Development Council, in conjunction with the Department of Law
 255 Enforcement ~~and the Office of Drug Control within the Executive~~
 256 ~~Office of the Governor~~, shall create a maritime domain security
 257 awareness training program to instruct all personnel employed
 258 within a seaport's boundaries about the security procedures
 259 required of them for implementation of the seaport security plan
 260 required under s. 311.12(3).

261 Section 6. Subsection (2) of section 397.331, Florida
 262 Statutes, is amended to read:

263 397.331 Definitions; legislative intent.—

264 (2) It is the intent of the Legislature to establish and
 265 institutionalize a rational process for long-range planning,
 266 information gathering, strategic decisionmaking, and funding for
 267 the purpose of limiting substance abuse. The Legislature finds
 268 that the creation of a ~~state Office of Drug Control and a~~
 269 Statewide Drug Policy Advisory Council affords the best means of
 270 establishing and institutionalizing such a process.

271 Section 7. Section 397.332, Florida Statutes, is repealed.

272 Section 8. Paragraphs (a), (b), and (c) of subsection (1)
 273 of section 397.333, Florida Statutes, are amended to read:

274 397.333 Statewide Drug Policy Advisory Council.—

275 (1) (a) The Statewide Drug Policy Advisory Council is
 276 created within the Department of Health ~~Executive Office of the~~
 277 ~~Governor~~. The Surgeon General or his or her designee ~~director of~~
 278 ~~the Office of Drug Control~~ shall be a nonvoting, ex officio
 279 member of the advisory council and shall act as chairperson. The
 280 director of the Office of Planning and Budgeting or his or her

281 designee shall be a nonvoting, ex officio member of the advisory
 282 council. The department shall provide staff support for the
 283 council. ~~The Office of Drug Control and the Office of Planning~~
 284 ~~and Budgeting shall provide staff support for the advisory~~
 285 ~~council.~~

286 (b) The following state officials shall be appointed to
 287 serve on the advisory council:

- 288 1. The Attorney General, or his or her designee.
- 289 2. The executive director of the Department of Law
 290 Enforcement, or his or her designee.
- 291 3. The Secretary of Children and Family Services, or his
 292 or her designee.
- 293 ~~4. The State Surgeon General, or his or her designee.~~
- 294 4.5. The Secretary of Corrections, or his or her designee.
- 295 ~~5.6.~~ The Secretary of Juvenile Justice, or his or her
 296 designee.
- 297 ~~6.7.~~ The Commissioner of Education, or his or her
 298 designee.
- 299 ~~7.8.~~ The executive director of the Department of Highway
 300 Safety and Motor Vehicles, or his or her designee.
- 301 ~~8.9.~~ The Adjutant General of the state as the Chief of the
 302 Department of Military Affairs, or his or her designee.

303 (c) In addition, the Governor shall appoint 7 ~~11~~ members
 304 of the public to serve on the advisory council. Of the 7 ~~11~~
 305 appointed members, one member must have professional or
 306 occupational expertise in drug enforcement, one member must have
 307 professional or occupational expertise in substance abuse
 308 prevention, one member must have professional or occupational

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309 expertise in substance abuse treatment, and two members must
 310 have professional or occupational expertise in faith-based
 311 substance abuse treatment services. The remainder of the members
 312 appointed should have professional or occupational expertise in,
 313 or be generally knowledgeable about, issues that relate to drug
 314 enforcement and substance abuse programs and services. The
 315 members appointed by the Governor must, to the extent possible,
 316 equitably represent all geographic areas of the state.

317 Section 9. Paragraph (g) of subsection (2), paragraph (a)
 318 of subsection (5), and paragraph (a) of subsection (6) of
 319 section 943.031, Florida Statutes, are amended to read:

320 943.031 Florida Violent Crime and Drug Control Council.—

321 (2) MEMBERSHIP.—The council shall consist of 14 members,
 322 as follows:

323 (g) The Policy Coordinator of the Public Safety Unit of
 324 the Governor's Office of Planning and Budgeting ~~director of the~~
 325 ~~Office of Drug Control within the Executive Office of the~~
 326 ~~Governor~~, or a designate.

327
 328 The Governor, when making appointments under this subsection,
 329 must take into consideration representation by geography,
 330 population, ethnicity, and other relevant factors to ensure that
 331 the membership of the council is representative of the state at
 332 large. Designates appearing on behalf of a council member who is
 333 unable to attend a meeting of the council are empowered to vote
 334 on issues before the council to the same extent the designating
 335 council member is so empowered.

336 (5) DUTIES OF COUNCIL.—The council shall provide advice

337 and make recommendations, as necessary, to the executive
 338 director of the department.

339 (a) The council may advise the executive director on the
 340 feasibility of undertaking initiatives which include, but are
 341 not limited to, the following:

342 1. Establishing a program which provides grants to
 343 criminal justice agencies that develop and implement effective
 344 violent crime prevention and investigative programs and which
 345 provides grants to law enforcement agencies for the purpose of
 346 drug control, criminal gang, and illicit money laundering
 347 investigative efforts or task force efforts that are determined
 348 by the council to significantly contribute to achieving the
 349 state's goal of reducing drug-related crime ~~as articulated by~~
 350 ~~the Office of Drug Control~~, that represent significant criminal
 351 gang investigative efforts, that represent a significant illicit
 352 money laundering investigative effort, or that otherwise
 353 significantly support statewide strategies developed by the
 354 Statewide Drug Policy Advisory Council established under s.
 355 397.333, subject to the limitations provided in this section.
 356 The grant program may include an innovations grant program to
 357 provide startup funding for new initiatives by local and state
 358 law enforcement agencies to combat violent crime or to implement
 359 drug control, criminal gang, or illicit money laundering
 360 investigative efforts or task force efforts by law enforcement
 361 agencies, including, but not limited to, initiatives such as:

- 362 a. Providing enhanced community-oriented policing.
- 363 b. Providing additional undercover officers and other
- 364 investigative officers to assist with violent crime

365 investigations in emergency situations.

366 c. Providing funding for multiagency or statewide drug
 367 control, criminal gang, or illicit money laundering
 368 investigative efforts or task force efforts that cannot be
 369 reasonably funded completely by alternative sources and that
 370 significantly contribute to achieving the state's goal of
 371 reducing drug-related crime ~~as articulated by the Office of Drug~~
 372 ~~Control~~, that represent significant criminal gang investigative
 373 efforts, that represent a significant illicit money laundering
 374 investigative effort, or that otherwise significantly support
 375 statewide strategies developed by the Statewide Drug Policy
 376 Advisory Council established under s. 397.333.

377 2. Expanding the use of automated fingerprint
 378 identification systems at the state and local level.

379 3. Identifying methods to prevent violent crime.

380 4. Identifying methods to enhance multiagency or statewide
 381 drug control, criminal gang, or illicit money laundering
 382 investigative efforts or task force efforts that significantly
 383 contribute to achieving the state's goal of reducing drug-
 384 related crime ~~as articulated by the Office of Drug Control~~, that
 385 represent significant criminal gang investigative efforts, that
 386 represent a significant illicit money laundering investigative
 387 effort, or that otherwise significantly support statewide
 388 strategies developed by the Statewide Drug Policy Advisory
 389 Council established under s. 397.333.

390 5. Enhancing criminal justice training programs which
 391 address violent crime, drug control, illicit money laundering
 392 investigative techniques, or efforts to control and eliminate

393 criminal gangs.

394 6. Developing and promoting crime prevention services and
 395 educational programs that serve the public, including, but not
 396 limited to:

397 a. Enhanced victim and witness counseling services that
 398 also provide crisis intervention, information referral,
 399 transportation, and emergency financial assistance.

400 b. A well-publicized rewards program for the apprehension
 401 and conviction of criminals who perpetrate violent crimes.

402 7. Enhancing information sharing and assistance in the
 403 criminal justice community by expanding the use of community
 404 partnerships and community policing programs. Such expansion may
 405 include the use of civilian employees or volunteers to relieve
 406 law enforcement officers of clerical work in order to enable the
 407 officers to concentrate on street visibility within the
 408 community.

409 (6) DRUG CONTROL STRATEGY AND CRIMINAL GANG COMMITTEE.—

410 (a) The Drug Control Strategy and Criminal Gang Committee
 411 is created within the Florida Violent Crime and Drug Control
 412 Council, consisting of the following council members:

413 1. The Attorney General or a designate.

414 2. The designate of the executive director of the
 415 Department of Law Enforcement.

416 3. The secretary of the Department of Corrections or a
 417 designate.

418 4. The Policy Coordinator of the Public Safety Unit of the
 419 Governor's Office of Planning and Budgeting, ~~director of the~~
 420 ~~Office of Drug Control within the Executive Office of the~~

421 ~~Governor~~ or a designate.

422 5. The state attorney, the two sheriffs, and the two
423 chiefs of police, or their designates.

424 Section 10. Paragraph (a) of subsection (1) of section
425 943.042, Florida Statutes, is amended to read:

426 943.042 Violent Crime Investigative Emergency and Drug
427 Control Strategy Implementation Account.—

428 (1) There is created a Violent Crime Investigative
429 Emergency and Drug Control Strategy Implementation Account
430 within the Department of Law Enforcement Operating Trust Fund.
431 The account shall be used to provide emergency supplemental
432 funds to:

433 (a) State and local law enforcement agencies which are
434 involved in complex and lengthy violent crime investigations, or
435 matching funding to multiagency or statewide drug control or
436 illicit money laundering investigative efforts or task force
437 efforts that significantly contribute to achieving the state's
438 goal of reducing drug-related crime ~~as articulated by the Office~~
439 ~~of Drug Control~~, that represent a significant illicit money
440 laundering investigative effort, or that otherwise significantly
441 support statewide strategies developed by the Statewide Drug
442 Policy Advisory Council established under s. 397.333;

443 Section 11. This act shall take effect July 1, 2011.